

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.

YOUNG JOON YANG, et al.
Defendants.

No. CR 05-00395 CRB

~~PROPOSED~~ ORDER EXCLUDING TIME
FROM FEBRUARY 1, 2006 TO APRIL 5,
2006 UNDER THE SPEEDY TRIAL ACT

UNITED STATES OF AMERICA,
Plaintiff,
v.
MISUK MOORE, et al.,
Defendants

No. CR 05-00447 CRB

No. CR 05-00613 CRB

UNITED STATES OF AMERICA,
Plaintiff,
v.
CHANG KUN KIM,
Defendant.

On February 1, 2006, defendants in the above-captioned matter appeared, with counsel,

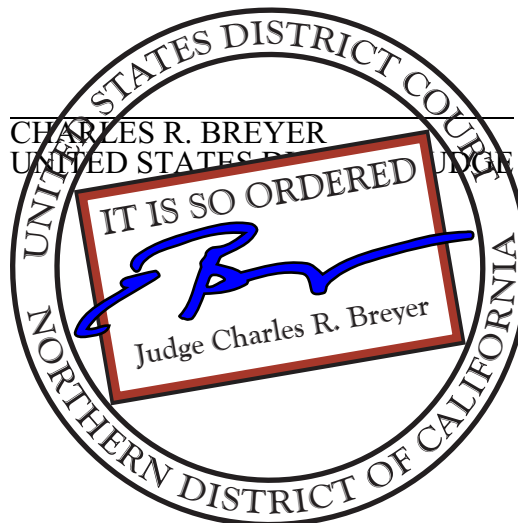
1 before the Court for a status conference. Assistant United States Attorney Peter B. Axelrod
2 appeared on behalf of the United States.

3 The parties agreed to a continuance of the matter to April 5, 2006, and a corresponding
4 exclusion of time under the Speedy Trial Act (18 U.S.C. § 3161) to provide defense counsel with
5 sufficient time to obtain and review additional discovery.

6 Accordingly, the Court HEREBY ORDERS that the time from February 1, 2006 to April
7 5, 2006 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. For the reasons set forth
8 above, the Court finds that the failure to grant the requested exclusion would deny defense
9 counsel reasonable time necessary for effective preparation taking into account the exercise of
10 due diligence. Further, the Court finds the exclusion warranted on complexity grounds, under 18
11 U.S.C. § 3161(h)(8)(B)(ii), based on the number of defendants (31 charged), the number of calls
12 on the wire (exceeding 33,000) and the fact that the vast majority of the calls are in the Korean
13 language. Thus, the Court finds that the ends of justice served by granting the requested
14 exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the
15 prompt disposition of criminal cases. The Court therefore concludes that this exclusion of time
16 should be made under 18 U.S.C. §§ 3161(h)(8)(A), (h)(8)(B)(ii) and (h)(8)(B)(iv).

17 IT IS SO ORDERED.

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19 DATED: February 16, 2006



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28 ORDER
CR 05-00395 CRB/CR 05-00447 CRB/CR 05-00613 CRB